

BEFORE THE TENNESSEE REGULATORY AUTHORITY

AT NASHVILLE, TENNESSEE

November 19, 2001

IN RE:

COMPLAINT OF XO TENNESSEE,  
INC. AGAINST BELL SOUTH  
TELECOMMUNICATIONS, INC.

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DOCKET NO. 01-00868

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ORDER GRANTING MOTION TO CONVENE MEDIATION CONFERENCE

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This docket came before the Hearing Officer for consideration of the *Motion to Convene Mediation Conference* ("the Motion") filed by BellSouth Telecommunications, Inc. ("BellSouth") on November 9, 2001. The Motion states that BellSouth would like to resolve the complaints filed by Access Integrated Network, Inc. ("AIN") and XO Tennessee, Inc. ("XO") expeditiously by negotiated agreement.

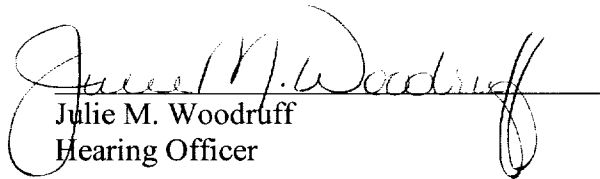
AIN and XO filed the *Response of XO Tennessee, Inc. and Access Integrated Network, Inc. to BellSouth Telecommunications, Inc.'s Mediation Proposal* on November 13, 2001. XO and AIN explain that they do not oppose attempting to resolve the complaints by negotiated agreement so long as BellSouth first responds to their discovery requests.

The Consumer Advocate and Protection Division of the Office of the Attorney General and Reporter ("Consumer Advocate") filed comments regarding the Motion on November 14, 2001. The Consumer Advocate does not oppose the Motion provided BellSouth first complies with discovery production and that show cause proceedings commence absent a settlement.

Given that there is no opposition to convening a mediation conference and no request to modify the procedural schedule set forth in the Hearing Officer's Order of November 6, 2001, the Hearing Officer finds that the Motion should be granted.

**IT IS THEREFORE ORDERED THAT:**

The *Motion to Convene Mediation Conference* is hereby granted. The Mediation will be held on November 28, 2001 at 1:00 p.m. Executive Secretary, K. David Waddell, will preside over the Mediation. The procedural schedule set forth in the November 6, 2001 Order shall remain in effect.

  
Julie M. Woodruff  
Hearing Officer

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K. David Waddell, Executive Secretary